## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

IN RE: TESTOSTERONE REPLACEMENT THERAPY PRODUCTS LIABILITY LITIGATION

MDL No. 2545

Master Docket Case No. 1:14-cv-01748

Honorable Matthew F. Kennelly

ROY H. SMYER and SABRINA M. SMYER,

Plaintiffs,

STATEMENT OF DEATH OF ROY H. SMYER AND SABRINA M. SMYER

Civil Action No.: 1:14-cv-07763

VS.

ACTAVIS, PLC; ACTAVIS, INC. f/k/a WATSON PHARMACEUTICALS, INC.; and ANDA, INC.,

Defendants.

Counsel for Plaintiffs in the above-referenced action hereby give notice of the death of Plaintiffs Roy H. Smyer and Sabrina M. Smyer. Mr. Smyer passed away on June 20, 2014, and Mrs. Smyer passed away on January 18, 2015. This is the first statement of death to be filed or served in this matter.

By way of a Motion to Substitute Parties in accordance with Rule 25(a) of the Federal Rules of Civil Procedure, the Plaintiffs' daughter, Danielle C. Smyer, will be substituted in this action as Plaintiff and Successor in Interest so that Roy Smyer's claims survive and the action on his behalf may proceed.

Respectfully submitted,

COHEN & MALAD, LLP

Dated: June 4, 2015 /s/ Edward B. Mulligan V

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Counsel for Plaintiffs

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 4, 2015, I electronically transmitted the foregoing document to the Clerk of the United States District Court using the CM/ECF System for filing and service to all parties/counsel registered to receive copies in this case.

/s/ Edward B. Mulligan V Edward B. Mulligan V